

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 18 OF 2007

Matoshri Construction Company.

... Petitioner.

V/s.

Malwani Swaraj Co-op.Hsg.Society
and others.

... Respondents.

M.S.Kumthekar for the petitioner.

CORAM: A.M.KHANWILKAR, J.

DATED: 19th January 2007.

P.C.:

. Merely because the application for interim relief filed by the opposite party has been rejected and in spite of such order by the competent court if the party proceeds to take certain positive steps, it is inconceivable that such a situation would be covered by the definition of civil contempt. In the circumstances, this is not a case for initiating action of civil contempt against the respondents. The petitioner may pursue such other remedy as may be advised.

. The petition is dismissed.

(A.M.KHANWILKAR, J.)